UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,604	12/17/2001	Shinichiro Hamada	217398US2RD	5932

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EXAMINER
DEBROW, JAMES J

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/015,604	HAMADA ET AL.
	Examiner	Art Unit	
	James J. Debrow	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 April 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-7,9-12,14 and 15</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,4-7,9-12,14 and 15</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>12/28/2005</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed 05 Apr. 2006.

2.   Claims 1, 2, 4-7, 9-12, 14, and 15 are pending in this case. Claims 1, 6, and 11

are independent claims.

Applicant Response

3.   In Applicant's Response dated 05 Apr. 2006, Applicant amended claims 1, 6, and

11, and argued against all rejections previously set forth in the Office Action dated 05

Jan. 2006.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   **Claims 1, 2, 4-7, 9-12, 14, and 15 are rejected under 35 U.S.C. 102(e) as**

being anticipated by Silva et al. (hereinafter "Silva"), US 6,976,210 B1 provisional

filed 8/31/1999.

Regarding independent claims 1, 6, and 11, Silva discloses extracting one or a

plurality of partial documents from the first documents according to locations of the first

documents on the Internet and ranges of the partial documents to be extracted in fig. 2,

6-8, col. 5 line 22 – col. 8 line 21, and col. 11 line 35 – col. 12 line 3. Silva discloses

wherein the locations and the ranges are described by the specific markup language in

the second document in col. 9 lines 16-26. Silva discloses that the markup expression

for extracting the partial documents is stored in the Web view composite display

document. Silva discloses inserting the partial documents extracted by the extracting

step into the second document to generate a document structure containing original

document structures of the first and second documents according to insertion positions

of the partial documents on the second document in fig. 2, 6-8, and col. 8 line 66 – col.

9 line 15. Silva discloses wherein the insertion positions are described by the specific

markup language in the second document in col. 9 lines 16-26. Silva discloses

converting the document structure generated by the inserting step into a desired

document structure according to ranges of the second document to be converted

including the partial documents inserted by the inserting step and identification

information of a file describing a conversion rule for converting the document structure

into the desired document structure, the ranges and the identification information

described by the specific markup language in the second document in fig. 2, col. 7 line

16 – col. 8 line 14, and col. 9 lines 16-26. Silva teaches that the parser can correct, or

convert, the tag structure into the desired structure in col. 7 lines 47-52. Therefore Silva

teaches converting a current document structure into a desired document structure.

Regarding dependent claims 2, 7, and 12, Silva discloses wherein the second

document is described by using at least a tag for describing the locations of the first

documents on the Internet and the ranges of the partial documents to be extracted in

fig. 2 and col. 5 line 22 – col. 8 line 14. Silva discloses wherein the second document is

described by using at least a tag for describing specifying the insertion positions of the

partial documents on the second document in fig. 2 and col. 8 line 66 – col. 9 line 15.

Regarding dependent claims 4, 9, and 14, Silva discloses using at least a tag

for specifying the ranges for which the document structure of the second document is to

be converted and describing the identification information of the file describing the

conversion rule in fig. 2, col. 5 line 65 – col. 6 line 29, col. 7 line 16 – col. 8 line 14, and

col. 9 lines 16-26.

Regarding dependent claims 5, 10, and 15, Silva discloses wherein the second document is described by Extensible Markup Language (XML), and when the first documents are not described by the XML, the extracting step extracts the partial documents from the first documents after converting the first documents into a description format according to the XML in col. 7 line 16 – col. 8 line 14.

Response to Arguments

6.   Applicant's arguments filed 05 Apr. 2006 have been fully considered but they are

not persuasive.

Applicant argues that *Silva et al. fails to teach or suggest "converting*

semantically the document structure generated by the inserting step into a desired

document structure according to ranges of the second document to be converted

including the partial documents inserted by the inserting step and identification

information of a file describing a conversion rule for converting the document structure

into the desired document structure" recited in Claim 1.

The examiner disagrees.

As indicated in the above rejection, Silvia teaches/suggests converting

semantically the document structure (col. 9 lines 16-26; Fig 2).

Applicant argues that *Silva et al. fails to teach or suggest "a conversion unit*

configured to convert semantically the document structure generated by the insertion

unit into a desired document structure according to ranges of the second document to

be converted including the partial documents inserted by the insertion unit and

identification information of a file describing a conversion rule for converting the

document structure into the desired document structure" recited in Claim 6.

The Examiner believes Applicant's amendment to Claim 6, does not change the scope of the claim and the rejection stands as previous cited.

Applicant argues that *Silva et al. fails to teach or suggest "third computer program codes for causing the computer to convert semantically the document structure generated by the second computer program codes into a desired document structure according to ranges of the second document to be converted including the partial documents inserted by the second computer program codes and identification information of a file describing a conversion rule for converting the document structure into the desired document structure" recited in Claim 11.*

The examiner disagrees.

As indicated in the above rejection, Silva teaches that the parser can correct, or convert, the tag structure generated by the inserted partial documents into the desired structure in col. 7 lines 47-52. Silva further teaches a computer readable media tangibly embodying a program of instruction executable by a computer to perform methods of semantically converting the document structure generated by the second computer program codes.

Therefore, the Examiner has rejected the claimed invention as being anticipated by Silva.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James J. Debrow whose telephone number is 571-272-

5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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